

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-v-

MITCH ENGLESON,

Defendant.

No. 13-cr-340-3 (RJS)
ORDER

RICHARD J. SULLIVAN, Circuit Judge:

The Court is in receipt of the attached letter from Defendant, which is dated March 25, 2020 but was received in chambers on April 6, 2020.¹ Defendant requests that the Court reduce his sentence in light of the recent COVID-19 (Coronavirus) pandemic. IT IS HEREBY ORDERED that the government shall file its response no later than Friday, April 10, 2020.

SO ORDERED.

Dated: April 6, 2020
New York, New York



RICHARD J. SULLIVAN
UNITED STATES CIRCUIT JUDGE
Sitting by Designation

¹ Because Defendant's letter contains sensitive medical information, the Court has redacted portions of the letter, finding that the presumption of open records has been overcome by Defendant's privacy interests. *United States v. Amodeo*, 71 F.3d 1044, 1051 (2d Cir. 1995).

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CLERK'S OFFICE
U.S. COURT OF APPEALS

Mitchell Engelson

02136-054

Federal Medical Center

P.O. Box 1600

Butner, N.C. 27509

March 25, 2020

Dear Honorable Judge Sullivan,

I am presently incarcerated at Butner Med Center [REDACTED]

I've been in prison 7 years now since 2013. My case was for Marijuana. I am 14 months away from my release date of 6/16/21.

Several years back when you reduced my 2 codefendants by 15 months I was denied this reduction. I was given a 3 point enhancement for committing this crime while on bail for gambling. Larca was violated for being on Supervised Release but not enhanced by 3 points. You gave me a very fair 108 months + with gambling case my total became 115 months 2 days. Larca had 114 months + then 15 month reduction gave him 99 months. Donovan had 102 months + with 15 month reduction gave him 87 months. Both are now free serving 5 years Supervised Release.

[REDACTED]

[REDACTED]

I am eligible for a Full year Pre Release via halfway house + home confinement. This June 16, I am exactly one year short. Now with Corona Virus the BOP is chaotic + no transfers + little Pre Entry being done. Believe me its a total mess in these places. Only ones leaving here now is via Max Release Date, Compassionate Release, OR DEATH.

My lawyer David Wikstrom sent me an email today to go for Compassionate Release. That process takes at least a year. [REDACTED]

[REDACTED] I'm in decent health for a man who will be 71 this September.

I will be living in Rockland County with my fiancée + her son. I will work with him in his General Contracting Business. I also will continue to give lectures in Professor Jakubowicz classes at NYU Grad School of Social Work. My friend Richard Schaps CEO of Van Wagner has some plans for me to help at Doe Fund too.

My hope today is you can reduce my sentence by 12 months + this June 2020 I can Release directly to 5 years

Mitchell Engelson # 02136-054

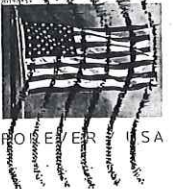
Name: Number:

Federal Medical Center

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Legal
MAIL

The Honorable Richard J. Sullivan
United States Federal Judge
Southern District of New York
United States Courthouse
40 Foley Square
New York, New York 10007

10007-150729



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NEW YORK NY